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REMARKS

I. Introduction

With the cancellation of claims 32 to 37 herein without prejudice, claims 2 to 10, 12 to 17, 27, and 31 are currently pending in the present application. It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

As an initial matter, Applicants once again respectfully request acknowledgment of the claim for foreign priority and an acknowledgment that the certified copy of the priority application was received in the parent application, i.e., U.S. Patent Application Serial No. 09/971,504.

II. Interview Summary

Applicants thank the Examiner for the courtesies extended during the telephone interview of October 23, 2006 with Applicants' representative, Abraham Ronai (Reg. No. 41,275).

The following is a Statement of Substance of Interview of the telephone interview of October 23, 2006.

During the course of the telephone interview, no exhibit was shown and no demonstration was conducted.

During the course of the telephone interview, claims 2 to 10, 12 to 17, 27, and 31 to 37 and German Published Patent Application No. 43 14 432 ("DE '432") were discussed.

During the course of the telephone interview, the Examiner agreed that canceling previously added claims 32 to 37 and amending claims 2 to 10, 12 to 17, 27, and 31 such that they relate to a lacquer or coating composition, as opposed to a coating, overcomes the Examiner's objection that the claims, as previously amended, do not read on the elected invention. The Examiner further agreed that the rejection of claims 2 to 10, 12 to 17, 27, and 31 based on 35 U.S.C. § 112 would not be repeated provided Applicants amended these claims such that they relate to a brake lacquer or brake coating composition. The Examiner agreed with Applicants that claims 2 to 10, 12 to 17, 27, and 31, so amended, would be definite and enabling because one skilled in the art of brake lacquers or brake coating compositions would understand what was meant by an "average grain size" that is substantially equal to at least one of a maximum roughness and an average grain

size of score marks of a braking surface of at least one of a brake disk and a brake drum, as required by independent claims 10, 17, and 31. The Examiner further agreed with Applicants that DE '432 does not disclose, or even suggest, an "average grain size" that is substantially equal to at least one of a maximum roughness and an average grain size of score marks of a braking surface of at least one of a brake disk and a brake drum, as required by independent claims 10, 17, and 31.

The general results or outcome of the telephone interview is that an agreement was reached.

III. Conclusion

Applicants respectfully submit that all of the pending claims of the present application are now in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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